

## **EXHIBIT D**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

<b>CORPORAL TRINIDAD NAVARRO,</b>	:	
	:	
<b>Plaintiff,</b>	:	<b>C.A. No. 05-565</b>
	:	
<b>v.</b>	:	<b>JURY TRIAL DEMANDED</b>
	:	
<b>CHRISTOPHER A. COONS,</b>	:	
<b>individually and in his official capacity;</b>	:	
<b>GUY H. SAPP, individually and in his</b>	:	
<b>official capacity; and NEW CASTLE</b>	:	
<b>COUNTY, a municipal corporation,</b>	:	
	:	
<b>Defendants.</b>	:	

**AFFIDAVIT OF MICHAEL STRINE IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT**

I, Michael Strine, declare as follows:

(1) Pursuant to 28 U.S.C. § 1746, I make this declaration based on personal knowledge and belief and to the best of my recollection. If called as a witness at trial, I would testify to the statements made herein.

(2) I have been employed as the Chief Financial Officer of New Castle County since April 11, 2005.

(3) In January 2005, the Coons Administration took office.

(4) The budget for Fiscal Year 2006 was scheduled to be presented for a vote by County Council on April 11, 2005. The budget speech and formal presentation to Council was March 22, 2005 and I was in attendance. The budget vote was May 24, 2005.

(5) The administration had only four months to analyze the entire New Castle County Budget, totaling \$207 million, and make any necessary changes.

(6) In an effort to address the operating imbalance in the General Fund, projected as a deficit of 47 million dollars, under which New Castle County had been spending more than it

was receiving in revenue, all General Managers were required to make reductions to their departmental budgets. These efforts to cut costs, to raise fees and other revenues, to restrain any new spending, and to get the assistance of federal and state governments are part of an announced plan by the County Executive to address the long term fiscal future of New Castle County government.

(7) Several departments, including the Department of Public Safety, carried vacant positions in the Fiscal Year 2006 budget that were not filled.

(8) There was a net reduction of twenty-seven (27) county positions deleted from the Fiscal Year 2006 budget.

(9) There was no position growth in the Fiscal Year 2007 budget.

(10) Forty-two (42) positions were eliminated from the Fiscal Year 2008 budget and an additional nineteen (19) positions were defunded.

(11) In November, 2006 the County Executive announced a hiring freeze, with certain exceptions that included front-line public safety personnel, but specifically froze hiring for supervisory positions including the rank of sergeant and above in the Division of Police.

(12) The practice of “green-carding,” is, under rules governing County labor practices, used to temporarily fill a position of higher pay grade, but does not imply either that the position will be permanently filled or that the person “green-carded” will fill the position if the position is ultimately posted.

(13) At no time during the Fiscal Year 2006 or 2007 budgets were sergeants permanently green-carded for a total in excess of the authorized strength provided in the adopted budget.

(14) At any time, there will always be a temporary need for acting supervisors, including but not limited to sergeants, regardless of the total number of supervisory positions authorized.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 6<sup>th</sup> day of June, 2007.

  
\_\_\_\_\_  
MICHAEL STRINE

STATE OF DELAWARE :  
: SS.  
COUNTY OF NEW CASTLE :

On this 6 day of June, 2007, before me, a Notary Public, the undersigned officer, personally appeared Michael Strine, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

**IN WITNESS WHEREOF**, I hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notarial Officer